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IAB # SH 2246663/FO2251596

MISCELLANEOUS DOCUMENTS

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Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
07/10/09	FORII/CENTURY STN	☐	☐

Incident Information

URN: 009-13419-2172-055	Date: 07/10/09 Time: 2240
City or Station: Los Angeles	Nature of Incident: During a traffic stop the suspect pointed a handgun at the deputy. Deputy fired one round missing the suspect and the suspect ran.
Location: 1557 East Florence Avenue Los Angeles, California 90001	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **Street** (circled), Other: ____

Lighting (*circle only one*): **Darkness** (circled), Daylight, Other, Street Lights

Weather (*circle only one*): **Clear** (circled), Cloudy, Fog, Rain

Distance: 3-5 ft

Incident Type (*circle one or more*): Accidental, **Armed Person** (circled), Fleeing Suspect, **Foot Pursuit** (circled), Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, **Traffic Stop** (circled), Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ____

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation** (circled), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol** (circled)

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
1	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	[redacted]	[redacted]	[redacted]	EM **PM** (circled) Day	**Regular** (circled) Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	No Phone
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	N/A	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Trejo	Luis	A.	**On Duty** (circled), Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Iberri	Joseph	W.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Ditsch	Craig	A.

PSTD Use Only
SH # SH2246663

SH-R-438A rev. 3/07

See Reverse

Officer Involved Shooting

URN: 009-13419-2172-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
07/10/09	2330	09/28/09	

Employee #	Last Name	First Name	M.I
[redacted]	Strong	Eric	I.
[redacted]	Flores	Carlos	E.
[redacted]	Kusch	Roderick	A.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	NA	22	N	N	NN	
E#1	S#1	FH	HK	45	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 009-13419-2172-055

Involved Employee

E 1

Employee # [redacted]	Last Name: Sessman	First Name: Chad	M.I.: E.
Sex: M Race: Caucsian	Rank: Deputy Sheriff	Unit Assignment: Century Station	Work Assignment (Unit #, Module, etc.): Patrol/216E
ShiftTime (*circle only one*): EM (PM circled) Day	ShiftType (*circle only one*): (Regular circled) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☒
Hrs of sleep prior to shooting: 7	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest circled)	Other Factors:
Age: [redacted] Height: 5'11"	Weight: 190 lbs		
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]
Certified with Weapo[redacted] Used?	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: H&K USP	Caliber: .45	# Shots: 1	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	[redacted]ast Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name: N/A	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

Suspect Information

S 1

Last Name: Guerra	First Name: Maynor	M.I.
AKA Last Name: Martinez/Moreno	First Name: Jaesson/Iginio	M.I.
Sex: M Race: Hispanic	Street Address: [redacted] City: [redacted]	State & Zip Code: [redacted]
Work Phone: N/A	Home Phone: No Phone	Social Security #: N/A
Driver's License #: [redacted]		
Age: 23 D.O.B. 06/10/86	Height: 5'07" Weight: 140 lbs	FBI # [redacted]
CII # [redacted]		
Booking # 1978990	Primary Charge: 245(c) PC	Secondary Charge: 69 P.C.
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☒	Apprehended? ☒	Mental Illness? ☐
Criminal History? [redacted]		
Vehicle Make: Honda	Model: Accord	Year: 1999

S __

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:
Driver's License #:		
Age: D.O.B.	Height: Weight:	FBI #
CII #		
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☐	Apprehended? ☐	Mental Illness? ☐
Criminal History? ☐		
Vehicle Make	Model:	Year:

S __

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:
Driver's License #:		
Age: D.O.B.	Height: Weight:	FBI #
CII #		
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☐	Apprehended? ☐	Mental Illness? ☐
Criminal History? ☐		
Vehicle Make	Model:	Year:

S __

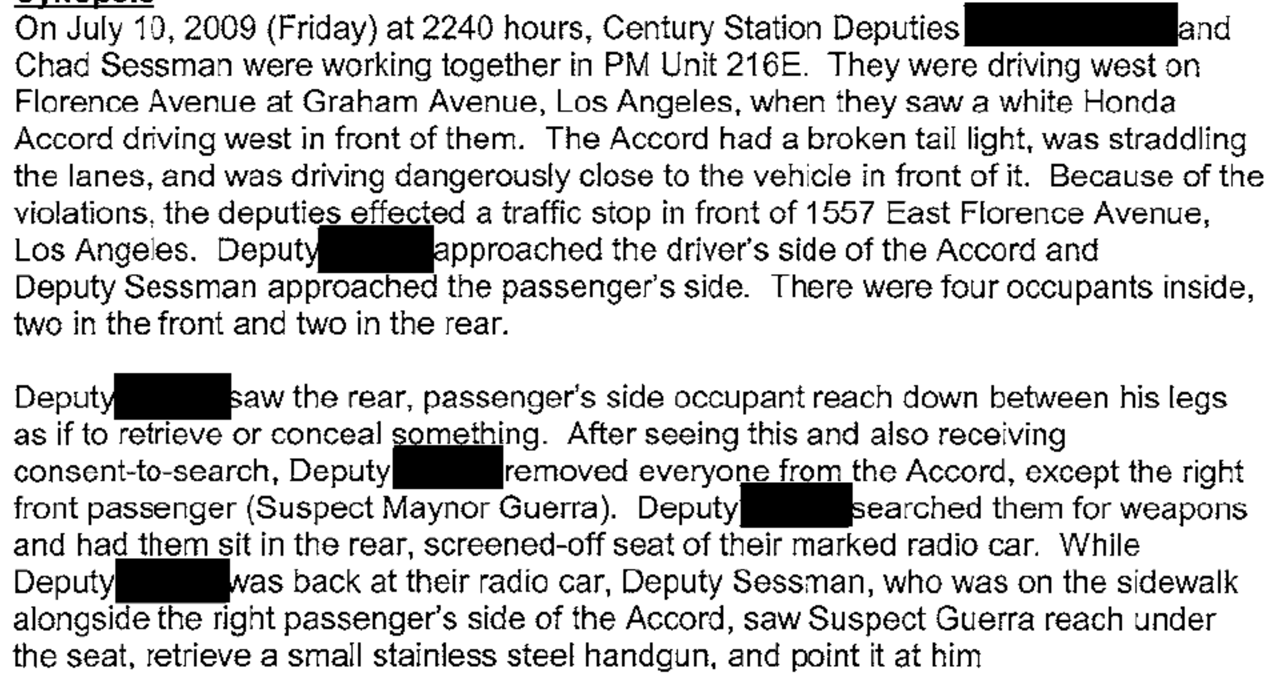
Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:
Driver's License #:		
Age: D.O.B.	Height: Weight:	FBI #
CII #		
Booking #	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☐	Apprehended? ☐	Mental Illness? ☐
Criminal History? ☐		
Vehicle Make	Model:	Year:

Investigative Summary

Type of Incident: Deputy Involved Non-Hit Shooting
IAB File Number: SH2246663 / FO2251596
URN: 009-13419-2172-055

Opening Statement
On July 10, 2009 (Friday), Internal Affairs Bureau Sergeants Eric Strong and Carlos Flores and Lieutenant Rod Kusch responded to 1557 East Florence Avenue, Los Angeles, where Century Station Deputy Chad Sessman fired one bullet from his Department-authorized .45 caliber semiautomatic pistol at Maynor Guerra (missing him) when Suspect Guerra pointed a .22 caliber revolver at him during a traffic stop.

> **IAB Note**: Lieutenant Kusch checked to see that the watch commander, Lieutenant Craig Ditsch, took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, Lieutenant Kusch checked to see if the watch commander attempted to have involved and witness personnel gather in the company of a supervisor (Sergeant Joe Williams) until they have provided a statement to the assigned investigators.



Synopsis
On July 10, 2009 (Friday) at 2240 hours, Century Station Deputies [redacted] and Chad Sessman were working together in PM Unit 216E. They were driving west on Florence Avenue at Graham Avenue, Los Angeles, when they saw a white Honda Accord driving west in front of them. The Accord had a broken tail light, was straddling the lanes, and was driving dangerously close to the vehicle in front of it. Because of the violations, the deputies effected a traffic stop in front of 1557 East Florence Avenue, Los Angeles. Deputy [redacted] approached the driver's side of the Accord and Deputy Sessman approached the passenger's side. There were four occupants inside, two in the front and two in the rear.

Deputy [redacted] saw the rear, passenger's side occupant reach down between his legs as if to retrieve or conceal something. After seeing this and also receiving consent-to-search, Deputy [redacted] removed everyone from the Accord, except the right front passenger (Suspect Maynor Guerra). Deputy [redacted] searched them for weapons and had them sit in the rear, screened-off seat of their marked radio car. While Deputy [redacted] was back at their radio car, Deputy Sessman, who was on the sidewalk alongside the right passenger's side of the Accord, saw Suspect Guerra reach under the seat, retrieve a small stainless steel handgun, and point it at him

(Deputy Sessman). Deputy Sessman yelled and alerted Deputy [redacted] to the fact that Suspect Guerra had a gun. Believing he would be shot, Deputy Sessman fired one bullet from his .45 caliber Heckler & Koch duty weapon at Suspect Guerra, missing him.

Suspect Guerra slid across the front seats, exited the front driver's side door, and ran south across Florence Avenue. He ran south through a short, north-south alley between two businesses, and continued south through the business parking lots. Deputy Sessman ran after him, 30 to 40 feet behind Suspect Guerra. Deputy [redacted] followed in their radio car, radioed for assistance, and drove 25 to 30 feet behind Deputy Sessman. Suspect Guerra tried to throw the gun on the roof of a business as he was running past it, but the firearm fell to the ground. Deputy [redacted] passed Deputy Sessman, who had stopped to recover a .22 caliber magnum revolver, later found to be loaded with five live rounds.

Suspect Guerra ran toward a nearby, open grocery store. Deputy [redacted] not knowing that Guerra had tossed his firearm, closed the distance, pointed his duty weapon at Suspect Guerra, ordered him to stop, and the suspect complied. Deputy Sessman approached, and handcuffed Suspect Guerra adjacent to the hood of their radio car. Suspect Guerra turned and resisted. Deputy [redacted] sprayed Suspect Guerra's face with Freeze +P spray, which was effective and allowed Deputy Sessman to control the suspect without further incident. Suspect Guerra was then placed in the rear seat of a unit who had arrived at their location to assist, and was later transported for booking.

Involved Personnel

Chad Sessman, Deputy, #[redacted]

Work History

Date of Employment:	**01/07/98**
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Date Assigned to Century Station:	**03/11/05**
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incident(s):	

[redacted] Deputy, #[redacted]

Work History

Date of Employment:	**01/24/00**
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Date Assigned to Century Station:	**09/28/06**
Prior Shooting Incident(s):	**08/09/08**
Prior Founded Force Incident(s):	[redacted]

Suspect
Maynor Guerra, DOB: 06/10/86, Male/Hispanic, Black/Brown, 5'07" 140 pounds
AKA Jaesson Martinez and Iginio Moreno
[redacted]

Witnesses
[redacted] Male/Hispanic, DOB: [redacted] CDL [redacted]

[redacted] Male/Hispanic, DOB: [redacted] CDL [redacted]

[redacted] Male/Hispanic, DOB: [redacted]

Injuries
None

Physical Evidence
1 North American Arms Stainless Steel .22 caliber revolver, serial #D[redacted]
5 Live .22 caliber rounds
1 Expended .45 caliber shell casing
3 .45 caliber expended projectile fragments
1 Impact point, from projectile impact
1 1999 Honda Accord, 4-door, white, California License Plate #[redacted]

Investigators' Observations
Investigators observed the scene to be an asphalt, four-lane roadway with two lanes of travel for east traffic and two lanes for west traffic. The lanes were marked with broken white painted lines and east/west traffic was separated by a solid, double yellow painted line.

The north and south curb-lines of the roadway met with a raised concrete curb that led into a concrete sidewalk. The roadway was bordered on the north and south with concrete and brick buildings serving as retail establishments.

At the scene of the incident investigators observed a white, 4-door, Honda Accord parked along the north curb in front of 1557 East Florence Avenue, Los Angeles. The driver's side front and rear doors were open. The passenger's side doors were closed. On top of the car and on the trunk lid investigators observed personal items such as two wallets, a lighter and a baseball hat.

Investigators observed a "Streamlight" SL-20 flashlight laying in the roadway near the left side of the rear bumper of the Honda Accord. Investigators also observed one expended .45 caliber shell casing and one bullet fragment.

At the location of arrest investigators observed a black and white, marked, radio car,

California exempt license plate number 1219298, vehicle number SD5139. The right front tire of the radio car was flat.

Weapon used by Deputy Sessman

Heckler & Koch Universal Self-loading Pistol .45 caliber, serial #R[redacted]
A review of deputy Sessman's training and weapons qualification records indicate that he is qualified to carry the above listed weapon on duty.

Weapon used by Suspect Maynor Guerra

.22 caliber, North American Arms revolver handgun, Serial #D[redacted]

Property Damage

None

Criminal Investigator

Detective Samuel Valente #[redacted] presented the case to the Los Angeles County District Attorney's Office. Suspect Guerra was charged with 245(d)(1) PC, Assault With a Firearm Upon a Peace Officer under Los Angeles Metro court case number VA111337.

Lighting and Weather Conditions

The incident occurred at approximately 2240 hours and it was dark with good street lighting. The weather was clear and warm.

IAB Interview of Deputy [redacted]

Deputy [redacted] was interviewed on Tuesday, August 26, 2009. This interview was digitally audio recorded and the verbatim transcript is included in this investigation. Witness [redacted] wrote a supplemental report describing his actions and observations during this incident **[Exhibit A]**. The following is a summary of Deputy [redacted] interview in which he explained his actions and observations regarding the shooting and use-of-force. For his complete statement refer to the verbatim transcript in this case book and the digital audio file.

Deputy [redacted] stated that while working with his partner Deputy Sessman (Unit 216E), they conducted a traffic stop (on the suspect vehicle, a 1999, white, 4-door, Honda Accord) on East Florence Avenue east of Compton Avenue. The car was occupied by four people. During the traffic stop Deputy [redacted] removed three people from the car and searched them while Deputy Sessman provided cover at the passenger's side.

While placing the third occupant in the backseat of the radio car, Deputy [redacted] heard Deputy Sessman shout "417" and heard a single gunshot. Deputy [redacted] looked towards the suspect vehicle and saw Suspect Guerra move from the front passenger's seat across the front driver's seat and exit the driver's door.

Suspect Guerra ran southwest across Florence Avenue and entered a north/south alley that ran between two businesses. Suspect Guerra ran south through the alley towards a large parking lot that services several businesses.

Deputy [redacted] saw Deputy Sessman running approximately 30 feet behind the suspect. Deputy [redacted] had secured the last subject in the backseat of the patrol car and began driving the patrol car, following the suspect and Deputy Sessman as he put out radio traffic of the incident.

After exiting the south end of the alley, Deputy [redacted] passed Deputy Sessman, who was still on foot, and saw Suspect Guerra running west and then turn south, running towards the open "Superior Warehouse" grocery store. Deputy [redacted] saw several people including children in front of the store. Deputy [redacted] drove the radio car into a position where he could see Suspect Guerra while keeping a tactical advantage and he ordered Suspect Guerra to stop at gunpoint. Suspect Guerra stopped running and placed his hands above his head.

Deputy [redacted] detained Suspect Guerra at gunpoint until Deputy Sessman arrived and took Suspect Guerra into custody. After handcuffing Suspect Guerra Deputy Sessman walked the suspect to the front of their radio car and awaited additional units. Deputy [redacted] saw Suspect Guerra start to resist and attempt to pull away from Deputy Sessman's grasp. Deputy [redacted] gave Suspect Guerra verbal commands to stop struggling, which were unsuccessful. Deputy [redacted] then sprayed Suspect Guerra in the face with a two to three second burst of "Freeze Plus P" Oleoresin Capsicum (OC) spray. The spray was effective and no other force was needed.

IAB Interview of Deputy Chad Sessman

Deputy **Chad Sessman** was interviewed on Tuesday, August 26, 2009. This interview was digitally audio recorded and the verbatim transcript is included in this investigation. Witness Sessman wrote a Supplemental Report describing his actions and observations during this incident **[Exhibit A]**. The following is a summary of Deputy Sessman's interview in which he explained his actions and observations regarding the shooting and use-of-force. For his complete statement refer to the verbatim transcript in this case book and the digital audio file.

Deputy Sessman stated that while working with his partner Deputy [redacted] (Unit 216E), they conducted a traffic stop (on the suspect vehicle, a 1999, white, 4-door, Honda Accord) in the area on East Florence Avenue east of Compton Avenue. The car was occupied by four subjects. During the traffic stop Deputy [redacted] removed three people from the car and searched them while Deputy Sessman provided cover at the passenger's side.

Deputy Sessman said he was standing approximately a foot a way from the car, at the door post between the rear passenger's and the front passenger's seats. Deputy Sessman said that after Deputy [redacted] removed the third passenger from the car he saw Suspect Guerra

start to take off his seatbelt. Deputy Sessman gave the suspect verbal commands to stop moving and place his hands on his knees, which the suspect did. Deputy Sessman said he had just scanned the area for potential threats and as he returned his view to the vehicle, he saw Suspect Guerra reach down to what appeared to be under the seat. Deputy Sessman saw Suspect Guerra produce a small, silver handgun and start turning his body in Deputy Sessman's direction while bringing the gun up. Deputy Sessman, fearing for his life, drew his firearm and fired one round from the hip at Suspect Guerra while yelling, "417."

Deputy Sessman began moving away from the car and towards the rear of the car in an effort to create distance from the suspect. Suspect Guerra turned away from Deputy Sessman and crawled over the center console, across the driver's seat and exited the driver's door. Suspect Guerra began running southwest across Florence Avenue and he entered the north/south alley that runs between two business just east of Compton Avenue. Deputy Sessman began following Suspect Guerra keeping a safe distance of approximately 25 to 30 feet.

Deputy Sessman heard Deputy [redacted] put out radio traffic regarding the incident and heard the acceleration of the radio car. As Deputy Sessman followed Suspect Guerra on foot he could hear the radio car and see the flashing of the red and blue, rotating lights bouncing off of the buildings.

Deputy Sessman followed Suspect Guerra southbound through the alley, knowing that Suspect Guerra was armed and running into a known parking lot of a large, open supermarket which is usually heavily occupied. Fearing for the safety of the patrons and citizens, Deputy Sessman continued his pursuit of Suspect Guerra after the suspect exited the alley and turned westbound causing Deputy Sessman to lose sight of the suspect. Deputy Sessman slowed his approach and began angling away from the building "slicing the pie" in a tactical approach to the corner of the alleyway. As Deputy Sessman approached the corner he saw Suspect Guerra running westbound.

Deputy Sessman saw Suspect Guerra attempt to throw his firearm onto the rooftop of the building as he was running past. Deputy Sessman saw the gun fly into the air, hit the wall and fall to the ground. Deputy Sessman saw Deputy [redacted] approaching in the radio car and he pointed to the direction of the suspect. Deputy [redacted] passed Deputy Sessman as Deputy Sessman ran and recovered the suspect's firearm.

The suspect turned southbound and began running towards the open supermarket at the south end of the parking lot. Deputy Sessman said Deputy [redacted] drove the radio car parallel to the suspect and order Suspect Guerra to stop. Suspect Guerra stopped and placed his hands above his head. Deputy Sessman approached Suspect Guerra and handcuffed him without incident. After Suspect Guerra was handcuffed, Deputy Sessman walked him to the front of their radio car and awaited assisting units. While waiting for the assisting units Suspect Guerra began twisting his body and adjusting his feet trying to break away from Deputy Sessman's grasp. Deputy Sessman pushed the back of Suspect

Guerra's shoulders, directing the suspect's upper body down over the hood of the radio car in and effort to better control him. Suspect Guerra continued to struggle and after several verbal commands, Deputy [redacted] sprayed Suspect Guerra with OC spray which was immediately effective.

Suspect Statements

Suspect Guerra did not make a statement regarding this incident.

Witness Interview

Witness [redacted] was interviewed by Internal Affairs Bureau investigators on Saturday, July 11, 2009. This interview was audio recorded and the verbatim transcript is included in this investigation. The following is a summary of Witness [redacted] statement as it relates to the deputy involved shooting and use of force. For Witness [redacted] complete and detailed statements refer to Detective Adan Torres' Supplemental Report **[Exhibit A]**, the transcript and/or digital audio file.

Witness [redacted] stated that he was driving in his car with three [redacted] when they were pulled over by deputies. During the traffic stop Witness [redacted] Witness [redacted] and Witness [redacted] were all taken out of Witness [redacted] car and placed in the backseat of the radio car [by Deputy [redacted]. While seated in the radio car (Witness [redacted] was behind the driver's seat) Witness [redacted] heard the deputies shouting for someone to stop and then he noticed that his [redacted] "Jaesson" (Suspect Guerra) was running on Florence Avenue. Witness [redacted] saw one deputy (Deputy Sessman) running behind Suspect Guerra and Deputy [redacted] got into the radio car and began driving behind Suspect Guerra and Deputy Sessman. Witness [redacted] said he did not hear any gunshots and did not see Suspect Guerra exit his car.

Witness [redacted] said they all went through an alley and into a parking lot. Deputy [redacted] told Suspect Guerra to stop and the suspect stopped running, placing his hands in the air. The deputies then placed Suspect Guerra against the hood of the radio car and handcuffed him. Witness [redacted] said he saw Deputy [redacted] "throw some gas" (deploy OC spray) on Suspect Guerra. Witness [redacted] did not see Suspect Guerra resist.

Witness [redacted] was interviewed by Internal Affairs Bureau investigators on Saturday, July 11, 2009. This interview was audio recorded and the verbatim transcript is included in this investigation. The following is a summary of Witness [redacted] statement as it relates to the deputy involved shooting and use of force. For Witness [redacted] complete and detailed statement refer to Detective Adan Torres' Supplemental Report **[Exhibit A]**, the transcript and/or digital audio file.

During a traffic stop Witness [redacted] was placed in the back of the radio car (middle seat) by Deputy [redacted] Witness [redacted] was looking down when he heard a single gunshot. Out of fear Witness [redacted] ducked his head. When he lifted his head he saw

Suspect Guerra running in the street. Witness [redacted] saw Deputy Sessman chasing Suspect Guerra and Deputy [redacted] got into the patrol car and began driving behind Deputy Sessman.

They all went through an alley and then into the parking lot of a shopping center. As they were getting close to the market, Deputy [redacted] told Suspect Guerra to stop, which he did. Suspect Guerra stopped and placed his hands in the air and he was handcuffed by the deputies. Witness [redacted] said Deputy Sessman came up to Suspect Guerra and struck him in the face. Witness [redacted] stated that Suspect Guerra began talking to the deputies and Deputy [redacted] sprayed him with OC spray.

Witness [redacted] was interviewed by Internal Affairs Bureau investigators on Saturday, July 11, 2009. This interview was audio recorded and the verbatim transcript is included in this investigation. The following is a summary of Witness [redacted] statement as it relates to the deputy involved shooting and use of force. For Witness [redacted] complete and detailed statement refer to Detective Adan Torres' Supplemental Report **[Exhibit A]**, the transcript and/or digital audio file.

During a traffic stop on the car Witness [redacted] was traveling in, Witness [redacted] was placed in the back seat (passenger's side) of the radio car. After being placed in the back seat of the radio car, Deputy [redacted] began talking to him and Witness [redacted] heard a gunshot. Witness [redacted] looked and saw Suspect Guerra running across Florence Avenue with Deputy Sessman running behind him. Deputy [redacted] got into the radio car and began driving behind Suspect Guerra and Deputy Sessman.

They went through an alley and into a shopping center parking lot. Deputy [redacted] pulled up alongside Suspect Guerra and told him to stop, which Suspect Guerra did. Deputy [redacted] got out of the patrol car and the deputies handcuffed Suspect Guerra. Witness [redacted] said that after Suspect Guerra was handcuffed the deputies struck him and sprayed him with OC spray. Witness [redacted] said he did not see Suspect Guerra struggle or resist after he was handcuffed.